

1

2 UNITED STATES BANKRUPTCY COURT

3 NORTHERN DISTRICT OF CALIFORNIA

4 In re

5 MISTY ALLARD, No. 07-11487

6 Debtor(s).
7 _____ /

8 MISTY ALLARD,

9 Plaintiff(s),

10 v. A.P. No. 11-1313

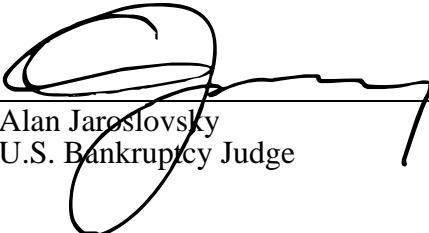
11 G & P ENTERPRISES, LLC, et al.

12 Defendant(s).
13 _____ /

14 Tentative Decision

15 Contrary to the motion for attorneys' fees, this was not an action to enforce CC& Rs; it was a
16 federal action to determine the dischargeability of a debt. The state statutes cited by defendants are not
17 applicable, and nothing in the cited CC&Rs appears to require attorneys' fees. See *In re Foster*, 435
18 B.R. 650 (9th Cir.BAP 2010). Moreover, there appears to have been no compliance with Rule 7008(b)
19 of the Federal Rules of Bankruptcy Procedure. Accordingly, the court is not inclined to grant the
20 motion for an award of attorneys' fees.
21

22 Dated: September 5, 201


23 Alan Jaroslovsky
24 U.S. Bankruptcy Judge
25
26